

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

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CRIMINAL DOCKET NO. 08-088

v.

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SECTION: "A"

STEPHEN DAIGLE

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FACTUAL BASIS

The above-named defendant, **STEPHEN DAIGLE**, has agreed to plead guilty as charged to Count One of the Indictment now pending against him. Should this matter have proceeded to trial, the United States of America would have proven beyond a reasonable doubt, through the introduction of relevant, competent, and admissible testimonial, physical and demonstrative evidence, the following facts to support the allegation against the defendant, **STEPHEN DAIGLE** ("**DAIGLE**"):

On August 29, 2006, a confidential source ("CS") informed the Louisiana State Police that **DAIGLE** was traveling from Houma to Houston to pick up a large supply of methamphetamine. The CS indicated that **DAIGLE** was driving a white 2005 Tahoe with Louisiana plates. The CS said **DAIGLE** was bringing back approximately two kilograms of methamphetamine from Texas to Louisiana.

On September 2, 2006, the CS informed Louisiana State Police Trooper First Class Craig Rhodes that **DAIGLE** had just arrived in Houma at 12:45 p.m. and had switched to a white 2006 Saturn Ion. The CS said that **DAIGLE** was planning to meet with an unknown subject in the parking lot of 1109 Dunn Street in Houma to sell the methamphetamine in about one hour.

At 1:57 p.m., TFC Rhodes saw **DAIGLE** driving into the parking lot. Rhodes and TFC Kevin Reswebber entered the parking lot and contacted **DAIGLE**. Rhodes approached **DAIGLE**, who showed obvious signs of nervousness.

DAIGLE agreed to talk with Rhodes. **DAIGLE** retrieved his identification from the Ion. Rhodes then saw a watch on the driver's seat and a brown paper bag on the driver's side floor-board and also on the fuse box panel door. **DAIGLE** then closed the door.

Rhodes asked for consent to search the vehicle. **DAIGLE** said he could not give consent because the car did not belong to him. Rhodes told him he could because he had property in the vehicle and because Rhodes had seen him driving it. **DAIGLE** then said he didn't want to get his friend in trouble, and indicated that the vehicle was rented by Lindy Hammond. This was evidenced by the rental agreement. Rhodes then requested a canine unit from Terrebonne Parish Sheriff's Office.

DAIGLE then began talking with Rhodes. **DAIGLE** assured Rhodes that there were no illegal narcotics in the vehicle. Rhodes then told **DAIGLE** that he believed there was a large amount of methamphetamine within the two paper bags within the vehicle. **DAIGLE** denied knowledge about the bags, but Rhodes said that he would have had to move it out of the way to operate the accelerator.

At 2:22 p.m., **DAIGLE** stated that the bag contained methamphetamine. Rhodes

Mirandized him.

DAIGLE then gave written consent to TFC Rhodes to search the vehicle. Rhodes looked inside the paper bag on the floor and found a clear plastic bag with a large amount of methamphetamine. The other paper bag, which was from the fuse box, contained two clear plastic bags of methamphetamine.

DAIGLE told Rhodes that he wanted to cooperate with the investigation. **DAIGLE** said that his supplier was a significant source from the Houston area. This package was just a sample for **DAIGLE** to bring to Louisiana. **DAIGLE** said that if the quality of the sample was good for Louisiana buyers, his source guaranteed at least a 25-pound shipment of methamphetamine per month. **DAIGLE** said that the source insures that the methamphetamine crosses the border and gets to Houston. **DAIGLE** would then be responsible for bringing the methamphetamine into Louisiana. **DAIGLE** later gave a videotaped statement at 5:28 p.m.

The methamphetamine seized from **DAIGLE'S** vehicle was sent to the South Central Laboratory in Dallas, Texas, where it was tested by Forensic Chemist Angela R. Wacker on February 12, 2007. It tested positive for the presence of methamphetamine and had actual amount of 131 grams of methamphetamine.

KEVIN G. BOITMANN, La. Bar No. 26203
Assistant United States Attorney

STEPHEN DAIGLE
Defendant

ROMA KENT
Attorney for Defendant